19 Jun'03 5:17PM; Job 630; Page 2/3

DOCKET NO.: IBIS0002-100 (IBIS-0368)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Ecker, Griffey, Sampath, Hofstadler, McNeil, and Crooke

Examiner: A. Marschel

Examiner: A. Marschel

RECENTER 1600/2900

ECH CENTER 1600/2900

ECH CENTER 1600/2900

Examiner: A. Marschel

Certificato

Certificato

TECH CENTER 1600/2900

Certificate of Facsimile Transmission

to the Patent and Trademark Office to facsimile number (703).

On <u>19 June 2003</u>

Mail Stop Non-Fee Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

RESPONSE TO COMMUNICATION

The present paper is in response to the Communication mailed May 23, 2003. The Communication asserted that Applicants' communications filed on January 22, 2003 and January 23, 2003 are non-responsive to the prior Office Action mailed December 17, 2002 for failure to include a Sequence Listing for the sequences disclosed in, for example, the Figures. As a preliminary matter, Applicants filed a single response on January 17, 2003 to the Restriction Requirement mailed December 18, 2002. No Sequence Listing was included in the response filed January 17, 2003. Rather, a Sequence Listing was filed along with the Preliminary Amendment on May 16, 2003. In particular, the specification was amended to recite "SEQ ID NO:3" and "SEQ ID NO:4" for the 16S rRNA and 23S rRNA sequences, respectively. These two sequences are depicted in the Figures and



DOCKET NO.: IBIS0002-100 (IBIS-0368)

PATENT

are broken down into regions in order to comply with the drawings requirements (i.e., the sequences were too long to depict on a single page and, thus, were broken down into several Figures). Thus, Applicants submit that Preliminary Amendment and Sequence Listing filed May 16, 2003 renders the Communication from the PTO mailed May 23, 2003 moot.

Applicants submit that the present response is complete. The Examiner is invited to contact Applicants' undersigned representative at (215) 665-6914 if there are any questions regarding Applicants' claimed invention.

Respectfully submitted,

Paul K. Legaard, Ph.D.

Registration No. 38,534

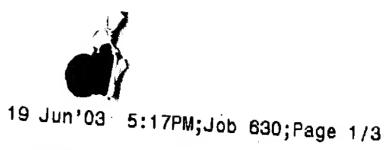
Date: 19 June 2003

COZEN O'CONNOR 1900 Market Street Philadelphia, PA 19103-3508 Telephone: (215) 665-6914

Facsimile: (215) 701-2141

Sent By: COZEN OCONNOR;

215 665 2013;



FAX RECEIVED

JUN > 0 2003

PHILADELPHIA AILANIA CHARROTTE CHERRY HILL CHICAGO DALLAS LAS VEGAS LONDON

LOS ANGELES

COZEN **CONNOR** ATTORNEYS

GROUP 1600

NEW YORK NEWARK SAN DIEGO SAN FRANCISCO SEATTLE WASHINGTON, DC WEST CONSHOHOCKEN

A PROFESSIONAL CORPORATION

1900 MARKET STREET PHILADELPHIA, PA 19103-3508 215.665.2000 800.573.2900 215.665.2013 FAX www.cozen.com

FACSIMILE

Sender's Name: Paul K. Legaard

Ser. No.: 09/891,793

Cozen Ref. No.: IBIS0002-100 (129578)

Pages to Follow: 2

Date: June 19, 2003

OFFICIAL FAX

	OFFICIAL FAX	
RECIPIENT(S)	COMPANY/FIRM	
Examiner A. Marschel	USPTO	FAX
MESSAGE: OFFICIAL FACSIMUM		(703) 872-9306

MESSAGE: OFFICIAL FACSIMILE

PLEASE DELIVER TO EXAMINER A. MARSCHEL, ENCLOSED IS:

1. Response to PTO Communication (2 pages).

JF YOU DO NOT RECEIVE ALL PAGES, PLEASE CALL 215.665.2000 or 800.523.2900 IMMEDIATELY. THIS TRANSMISSION IS ALSO BEING SENT VIA:

- .. Kegulat Mail
- _ Certified Mail
- _ Hand Delivery _ Overnight Mail
- Federal Express

NOTICE

The information combined in this manufaction is privileged and confidential. It is intended for the use of the individual or entity named above. If the neather of this negative is not the intended addressee, the reader is hereby notified that any consideration, dissemination or duplication of this examplaint is strictly prohibited. If the addressee has received this communication in error, please return this transmission to as at the above address by mail. We will reimburse you for postage. In addition, if these communication was received in the U.S., please notify as immediately by phoning and asking for the Fax Conten.